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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Friedman, Michael et al.

Examiner: Sharon Lee Howard

Serial No.: 09/534,960

Art Unit: 1615

Filed : March 27, 2000

For : CONTROLLED DELIVERY SYSTEM OF ANTIFUNGAL AND  
KERATOLYTIC AGENTS FOR LOCAL TREATMENT OF FUNGAL INFECTIONS OF THE  
NAIL AND SURROUNDING TISSUES

**RESPONSE TO A NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This response is in reply to a Notice of Non-Compliant Amendment (37 CFR 1.121) mailed on June 7, 2005. The listing of the claims has been amended to comply with the proper status identifiers. Those claims that had previously been identified as (allowed), have now been identified as (previously presented). Only the corrected section of the non-compliant amendment document has been resubmitted, e.g. the entire "Amendments to the Claims" section of the amendment, filed on March 15, 2004.

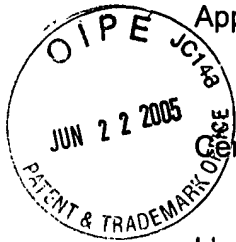
This response has been mailed within one month of the mailing date of the Notice, and is therefore timely submitted. Applicant believes that no fee is due, but if any fee is deemed to be due with this amendment, the Commissioner is authorized to charge any deficiency to Deposit Account No. 50-2392

Respectfully submitted,

Date: June 20, 2005

Telephone: (914) 345-9001  
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Donna Robertson-Chow, Reg. No. 47,030  
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Application No. 09/534,960

Attorney Docket No. 1009-US

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to:

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

On June 20, 2005  
Date

*Ann Marie McElligott*

Signature

Ann Marie McElligott

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1. Certificate of Mailing;
2. Response to Notice of Non-Compliant Amendment;
3. 6 Pages of Amendments to the Claims; and
4. Return Receipt Postcard.